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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91213550
Party	Defendant SHFT Global Inc
Correspondence Address	SULEIMAN HAMED SHFT GLOBAL INC 29721 HAZEL GLEN RD MURRIETA, CA 92563 UNITED STATES hamed.suleiman@gmail.com
Submission	Answer
Filer's Name	Suleiman Hamed
Filer's e-mail	hamed.suleiman@gmail.com
Signature	/Suleiman Hamed/
Date	12/17/2013
Attachments	SHFT-Response to opposition.pdf(40558 bytes )

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

SHFT GLOBAL, Inc.                      Opposition No. 91213550  
Applicant,                      Application No. 85/858,982

v.

Tristar Products, Inc.  
Opposer.

ANSWER TO NOTICE OF OPPOSITION

Applicant, SHFT Global, Inc a corporation organized under the laws of California and located at 29721 Hazel Glen Rd, Murrieta, California, 92563 and (“Mark”) GENSSI with serial number 85/858,982 was published for opposition in the Official Gazette on July 23, 2013. The (“Opposer”), Tristar Products, Inc a corporation under the laws of Pennsylvania and located at 492 Route 46 East, Fairfield NJ 07004.

SHFT GLOBAL, Inc (“Applicant”) answers Tristar Products, Inc (“Opposer”) Notice of Opposition as follows:

1. The allegations of paragraph 1 are admitted.
2. The allegations of paragraph 2 are admitted.
3. The information of paragraph 3 is admitted.
4. The information of paragraph 4 is admitted.
5. The information of paragraph 5 is admitted.
6. The information of paragraph 6 is admitted.
7. The information of paragraph 7 is admitted.

8. Answering paragraph 8 of the Notice of Opposition, Applicant does not offer or foresee the sale of same or similar type of goods offered under (“GENIE type marks”). GENSSI mark is not used on any clothing or any accessories for the human body and would never be done so. Nevertheless, applicant sees no likelihood of confusion of the pleaded mark (“GENSSI”) and Opposers mark (“GENIE type marks”).
9. Applicant affirmatively alleges that there is no likelihood of confusion, mistake or deception because, inter alia, Applicant’s mark and the pleaded marks of the Opposer are not confusingly similar. Therein and accordingly the applicant denies the allegations.
10. Applicant does not have sufficient knowledge or information to form a belief as to the allegations contained and therein and accordingly denies the allegations.
11. Applicant does not believe “GENSSI” and Opposer’s trademark “GENIE” type marks are similar in any fashion or form. The only similarity they have is the first 3 letters “GEN”. Furthermore, “GENSSI” is not a word in the English dictionary nor has any meaning, whereas “GENIE” is a common word. Therein and accordingly the applicant denies the allegations.
12. Applicant further affirmatively alleges that there is no likelihood of confusion, mistake or deception because, inter alia, Applicant’s mark and the pleaded marks of the Opposer are not confusingly similar. Applicant believes there would be no damage to the Opposer in any form. Therein and accordingly the applicant denies the allegations.
13. Applicant further affirmatively alleges that there is no likelihood of dilution by blurring because Opposer and Applicant’s marks are not sufficiently similar; there are, upon information and belief, numerous uses and registrations of third party marks with “GENIE” or 3 letters “GEN” formative; neither Applicant nor Applicants predecessors in

interest intended any association with Opposer's marks or any of them; upon information and belief, ordinary prospective purchasers of Applicant's products do not associate Applicant's and Opposer's marks.

WHEREFORE, Applicant requests the notice of opposition be dismissed and prays that the mark sought be registered be accepted.

Respectfully submitted,  
SHFT GLOBAL, INC  
/ Suleiman Hamed/  
Suleiman Hamed  
29721 Hazel Glen Rd,  
Murrieta, California, 92563  
(612)-845-4226  
President

A handwritten signature in blue ink, consisting of stylized, overlapping letters that appear to be 'SH'.

Date: 12-17-2017

## **CERTIFICATE OF SERVICE**

I hereby certify that on this the 12<sup>th</sup> day of December, 2013, a copy of the foregoing **ANSWER TO NOTICE OF OPPOSITION with registration number 85/858,982** was served upon the correspondent of record for Opposer via U.S. mail, postage prepaid, and addressed as follows:

**Opposer:**

Tristar Products, Inc  
492 Route 46 East  
Fairfield, NJ 07004

**Opposers Counsel:**

Daniel J. Holmander  
Barlow, Josephs & Holmes Ltd.  
101 Dyer Street, 5th floor  
Providence, RI 02903  
UNITED STATES  
djh@barjos.com Phone:4012734446x103

**Applicant:**

Suleiman Hamed  
/Suleiman Hamed/  
SHFT GLOBAL, INC